

COOPERATIVE AGREEMENT
FOR
ESTABLISHING A COOPERATIVE PLANNING PROCEDURE
FOR THE
LARAMIE AREA URBAN SYSTEM PROGRAM

Between

The City of Laramie,

Albany County,

The University of Wyoming,

and

The Wyoming Department of Transportation

Effective Date: June 1, 1999

1.0 AUTHORITY FOR AGREEMENT

The authority for entering into this agreement is provided in the Wyoming Joint Powers Act. Wyoming Statute § 16-1-101 states:

In exercising, performing or carrying out any power, privilege, authority, duty or function legally vested in any one (1) or more of them by Wyoming law, the state of Wyoming, and any one (1) or more of its counties, municipal corporations, school districts, special districts, public institutions, agencies, boards, commissions and political subdivisions, and any officer or legal representative of any one (1) or more of them, may cooperate with and assist each other, and like entities or authorities of other states.... Cooperation may be informal or subject to resolution, ordinance or other appropriate action, and may be embodied in a written agreement specifying purposes, duration, means of financing, methods of operations, termination, acquisition and disposition of property, employment of executive and subordinate agents and other appropriate provisions.

This agreement is also required of Wyoming communities [urban areas] with a population of 5,000 or more pursuant to Wyoming Department of Transportation Operation Policy Number 2-4 (Issued: June 23, 1997) which states:

To qualify [for participation in the Urban System Program], the general requirements [include] a cooperative agreement negotiated between the urban area and the Department to establish cooperative planning procedures for travel analysis and project selection.

Further authority is provided in the Municipal Planning Authority contained in Wyoming Statutes § 15-1-503 which states, in part, that a master plan may include the general location, character and extent of streets; general location and extent of public utilities and terminals, whether publicly or privately owned, for transportation; and acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, or change of use of any public ways.

2.0 PURPOSE OF AGREEMENT

This agreement between the City of Laramie, Wyoming (hereinafter referred to as the City), Albany County, Wyoming (hereinafter referred to as the County), the University of Wyoming (hereinafter referred to as the University, and the Wyoming Department of Transportation (hereinafter referred to as WYDOT) is intended to facilitate the participation of the Laramie area in the Urban System Program as administered by WYDOT.

This agreement shall also facilitate cooperative planning and extension of the Major Street and Highway Plan outside of the City corporate boundaries as permitted under Wyoming Statute § 15-1-503(a).

3.0 AREAS OF COOPERATION

The City, County, University, and WYDOT hereby agree to cooperate in transportation planning for the Laramie area. Cooperation shall include, but not be limited to, the following areas:

- A) Create a list of community development goals and objectives that relate to the Urban System Program.
- B) Review and update the Laramie Area Major Street and Highway System Plan Map on a periodic basis in accordance with the Urban System Program.
- C) Review and update the Laramie Area Urban Roadway Functional Classification Map on a periodic basis in accordance with the Urban System Program.
- D) Identify and prioritize a Project Sequence List in conjunction with the Laramie Area Urban Roadway Functional Classification Map.
- E) The City and the County agree to implement and maintain the Laramie Area Major Street and Highway System Plan Map under their respective statutory authorities.

4.0 BOUNDARIES AND AFFECTED JURISDICTIONS

The City, County, University, and WYDOT agree to negotiate, establish, and amend the boundaries of an Urban Transportation Planning Area.

5.0 URBAN SYSTEM ADVISORY COMMITTEE

The City, County, University, and WYDOT agree to establish an Urban System Advisory Committee (hereinafter referred to as the Committee). The responsibilities of the Committee shall be those enumerated within the WYDOT Operating Policy Number 2-4 effective June 23, 1997 and as may be amended from time to time. The Committee shall be made up of 12 members as follows:

- 3 Appointed by the Laramie City Council
- 2 Appointed by the Albany County Board of County Commissioners
- 1 Appointed by the University of Wyoming
- 2 WYDOT Representatives (District or Resident Engineer and Planning Program Staff Member)
- 1 Appointed by the Laramie Traffic Commission
- 1 Appointed by the Albany County Planning and Zoning Commission
- 1 Appointed by the Laramie Planning Commission

1 At-Large-Member appointed at the concurrence of the City Council and the Board of County Commissioners

Members shall serve 2-year terms. Members may be removed, with or without cause, by the entity(ies) which appointed them.

6.0 AMENDMENTS

Amendments to this agreement may be proposed by any party to this agreement. Amendments shall be in compliance with all applicable statutory provisions and all applicable WYDOT Operating Policies pertaining to the Urban System Program.

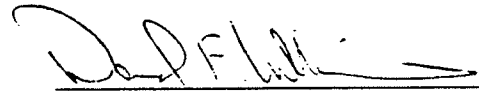
7.0 DURATION

This agreement shall be renegotiated on a periodic basis in conjunction with the time frame established by the Urban System Program and the federal Transportation Equity Act (TEA-21).

CITY OF LARAMIE, WYOMING

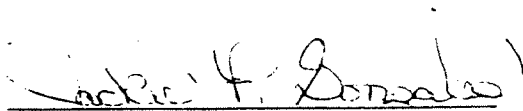
ATTEST:


Sue Morris-Jones, CMC, City Clerk


David F. Williams, Mayor

ALBANY COUNTY, WYOMING

ATTEST:


Jackie Gonzales, County Clerk


Pat Gabriel, Chairman

UNIVERSITY OF WYOMING

R. Baudin
VP for Admin & Finance
(Name & Title)

6.9.99
(Date)

WYOMING DEPARTMENT OF TRANSPORTATION

Robert Millman
(Name & Title)
Planning Engr.

July 7, 1999
(Date)

WYOMING DEPARTMENT OF TRANSPORTATION		OPERATING POLICY
ISSUED: June 23, 1997	POLICY NUMBER:	2-4
DIRECTOR: <i>Gene Keatona</i>		

SUBJECT: Urban System Program

I. Authorization

The Urban System Program is authorized by the Transportation Commission of Wyoming.

II. Eligibility

All urban areas with a population of 5,000 or more, according to the latest federal census, are eligible to participate in the program. To qualify, the general requirements are:

- A. Approval by the Transportation Commission of Wyoming as an urban area.
- B. A cooperative agreement negotiated between the urban area and the Department to establish cooperative planning procedures for travel analysis and project selection.
- C. A transportation planning analysis, performed by the Planning Program, is required in urban areas with populations of less than 50,000, if they do not have a continuing transportation planning process in effect. This analysis consists of the following information:
 - 1. A list of community development goals and objectives that relate to the Urban System Program for the area.
 - 2. A 10- and 20-year socio-economic forecast for the urban area.
 - 3. A land-use plan showing present and future areas intended for residential, commercial, industrial, and recreational activities.
 - 4. A major thoroughfare plan based on the future land-use plan, including a designated urban system for participation in the program.
 - 5. A brief narrative report that includes estimates of present and future internal and external travel for the transportation network as well as preliminary development estimates and priority assignments.
- D. For all urban areas, an existing major thoroughfare system is identified and functionally classified. This functional classification may reflect anticipated classifications no more than five years into the future. The system thus identified and classified will be eligible for participation in the program.

III. Urban System Advisory Committee

Each designated urban area must have an active Urban System Advisory Committee responsible for recommending potential projects to the responsible local government officials. As a minimum, this committee should be comprised of city and county officials, local citizens, WYDOT district or resident engineer, and a representative from the WYDOT Planning Program staff. All projects must be initiated through this committee and any major change in project scope must be coordinated through the committee. The Urban System Advisory Committee meets at the discretion of the chairman, but it must meet at least once a year.

IV. Programming

A selection of projects by priority array is made by each local Urban System Advisory Committee, certified by local city and county governments, and concurred by the Department. The following process is used to obtain accurate, balanced project sequence listings for each qualified urban area:

- A. The local Urban System Advisory Committee prepares a master project listing of all proposed (six-year) projects.
- B. An Urban Planning Study Report, which identifies the project location, intent, and other pertinent information necessary for initiation of the Reconnaissance Report, is prepared for each proposed project.
- C. A cooperative agreement between the city and the Department is negotiated to authorize a Type "A" P.E. for the purpose of conducting reconnaissance reports to determine the scope and estimated cost of the proposed projects.
- D. Based on the results of the reconnaissance reports, the local Urban Systems Advisory Committee, in cooperation with the Planning Program, prepares the final Project Sequence List.
- E. Project Sequence Lists are ratified and certified by local officials and WYDOT.
- F. A final cooperative agreement is negotiated for Type "B" P.E. and construction of the selected project(s).

V. Distribution of Funds

Urban system funds are allocated to all urban areas in Wyoming in the following ratio (as determined by the most recent federal census).

Urban area population : Total population of all urban areas in Wyoming

If an urban area does not use any or all of its fiscal year allocation of funds within two years after the end of the fiscal year, the unused funds may be redistributed to the other urban areas.

VI. System Designation

Routes on the urban system are selected by the appropriate local officials with the concurrence of the Department. The urban system in each designated urban area consists of a state system and a local system. The state system consists of those routes for which matching funds are provided by the Department and maintenance responsibilities are assumed, in accordance with Operating Policy 40-2. The local system consists of routes for which matching funds are provided and maintenance responsibilities assumed by the local governments. The Department cannot spend state funds on any local system.

VII. Project Selection

- A. Project selection on the urban system is made by the local officials of each designated urban area with Department concurrence. The selection of urban system projects is based on a transportation planning analysis of the area and is accomplished through a cooperative agreement between the Department and local governments. Projects selected by each urban area are programmed against their respective fund allocation.
- B. On the local system projects with Department approval, the local government can furnish its own labor, equipment, or materials. This approach is in the public interest for small projects (under \$20,000) that might otherwise be impractical because of location and type of construction. The project agreement is established on an agreed-unit-price basis.

VIII. Right-of-Way

- A. The Department is responsible for right-of-way acquisition and for any relocation assistance on local-system projects. Procedures are contained in the *Right-of-Way Manual* and in Department Rules and Regulations, Chapter 4, Relocation Assistance Program.
- B. Procedures set forth in the Wyoming Uniform Relocation Assistance Act of 1973 and the USC, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (including amendments) are followed in the acquisition of right-of-way required for local systems projects.
- C. Cattle guards, stock passes, and irrigation structures constructed for the benefit of the adjacent property owner are justified in the same manner as other state-funded projects.

IX. Utilities

- A. The resolution and/or mitigation of utility adjustments and conflicts for all local system projects is the responsibility of the Department. Procedures consistent with other federal-aid type projects must be followed and are contained in the approved State Utility Accommodation Regulations and 23 CFR 645, chapter 1G, subparts A & B.

- B. On urban routes on the state system, the Department has full control over the permit process for the licensing of utility crossings and parallel encroachments. The local government has control over licensing of utility lines on urban routes on the local system.
- C. The Department's Utility/Railroad Section is responsible for utility adjustments and/or utility relocation assistance for construction projects involving federal-aid funds. Funding for adjustments is determined by the matching fund formula and state and federal regulations for utility adjustments and relocations.

X. Maintenance Responsibility

The Department must assure that urban system improvements are properly maintained. On the local system, the local government must agree to properly maintain and operate the local system. Failure of an urban area to fulfill its maintenance responsibilities disqualifies that urban system from participating in future urban projects.

- References: 23 CFR 645, chapter 1G, subparts A & B.
Operating Policy 40-2, Construction Agreement and Maintenance Responsibilities
with Cities and Towns for Streets on the State Highway System.
Right-of-Way Manual.
State Utility Accommodation Regulations.
WYDOT Rules and Regulations, Chapter 4, Relocation Assistance Program.